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Attorneys for MACKENZIE ANNE THOMA, on behalf of herself
and all others similarly situated

**IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MACKENZIE ANNE THOMA, a.k.a
KENZIE ANNE, on behalf of herself
and all others similarly situated
employees,

Plaintiffs,

v.

VXN GROUP LLC, a Delaware limited
liability company; STRIKE 3
HOLDINGS, LLC, a Delaware limited
liability company; GENERAL MEDIA
SYSTEMS, LLC, a Delaware limited
liability company; MIKE MILLER, an
individual; and DOES 1 to 100,
inclusive,

Defendants,

CASE NO. 2:23-cv-04901-WLH

[Assigned for all purposes to the Hon.
Wesley L. Hsu]

**DECLARATION OF SARAH H.
COHEN IN SUPPORT OF
PLAINTIFF'S OPPOSITION
TO DEFENDANTS' MOTION
TO DISMISS SECOND
AMENDED COMPLAINT AND
CLASS CLAIMS**

DECLARATION OF SARAH H. COHEN

I, Sarah H. Cohen, declare and state:

1. I am an attorney at law, duly licensed to practice before all the Courts of the State of California and I am an attorney with Bibiyan Law Group, P.C, counsel of record for plaintiff Mackenzie Anne Thoma (“Plaintiff” or “Ms. Thoma”) and all others similarly situated and aggrieved. As such, I am familiar with the file in this matter and if called as a witness I could and would competently testify to the following facts of my own personal knowledge.

2. Counsel for Defendants, Mr. Eric Clopper (“Mr. Clopper”), failed to comply with Local Rule 7-3 by failing to meet and confer regarding the filing of Defendants’ Motion to Dismiss Plaintiff’s Second Amended Complaint by March 15, 2024. Rather, Defendants did not attempt to meet and confer until March 20, 2024. This is the third time Defendants have failed to properly meet and confer before filing a motion to dismiss. Attached hereto as **Exhibit A** is a true and correct copy of Mr. Clopper’s March 20, 2024 email.

3. I responded to Mr. Clopper informing him of my availability to meet and confer. Attached hereto as **Exhibit B** is a true and correct copy of my email to Mr. Clopper.

Executed on this Fifth of April, 2024, at Los Angeles, California.

/s/ Sarah H. Cohen

Sarah H. Cohen